

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VICTORIA BRANNON,

Plaintiff(s),

v.

CARDINAL HEALTH et al.,

Defendant(s).

CASE NO. 2:22-cv-00395-TL

ORDER GRANTING MOTION FOR
SERVICE BY THE COURT

This matter is before the Court on Plaintiff's Motion for Service of Summonses by the Court. Dkt. No. 5. Plaintiff is proceeding in this matter *in forma pauperis* and therefore seeks assistance with service of the Summons and Complaint on Defendants. No Defendant has appeared in this matter.

Federal Rule of Civil Procedure 4(c)(3) provides:

At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915 or as a seaman under 28 U.S.C. § 1916.

1 The rule authorizes the Court to order service by the Marshal or by a person specially
 2 appointed by the court when requested and mandates it for *in forma pauperis* prisoner plaintiffs
 3 proceeding under 28 U.S.C. § 1915. Although Plaintiff was granted leave to proceed *in forma*
 4 *pauperis*, she is not a prisoner. However, the Court recognizes that Plaintiff has limited means
 5 and has provided sufficient information to effect service of the Summons and Complaint.

6 Having reviewed Plaintiff's motion, and for the reasons stated above, the Court hereby
 7 finds and ORDERS:

8 (1) Plaintiff's Motion for Service by the Court (Dkt. No. 5) is GRANTED.

9 (2) The Clerk shall send the following to each named Defendant by first class mail:

10 (a) a copy of the Complaint (Dkt. No. 4);

11 (b) a copy of this Order;

12 (c) a copy of the appropriate Summons;

13 (d) two copies of the Notice of Lawsuit and Request for Waiver of Service of
 14 Summons,

15 (e) a Waiver of Service of Summons; and

16 (f) a return envelope, postage prepaid, addressed to the Clerk's Office for
 17 each Defendant.

18 (3) Defendants shall have **thirty (30) days** from the date of this Order within which
 19 to return the enclosed Waiver of Service of Summons. Any defendant who timely returns the
 20 signed waiver shall have **sixty (60) days** after the date designated on the notice of lawsuit to file
 21 and serve an answer to the complaint or a motion permitted under Rule 12 of the Federal Rules
 22 of Civil Procedure. Any defendant who fails to timely return the signed waiver will be personally
 23 served with a summons and complaint and may be required to pay the full costs of such service,
 24 pursuant to Rule 4(d)(2).

1 (4) The Clerk shall mail a copy of this Order to Plaintiff via U.S. Mail.

2 Dated this 18th day of August 2022.

3 

4 Tana Lin
5 United States District Judge